

REMARKS/ARGUMENTS

The Office Action of September 23, 2008, has been carefully reviewed and these remarks are responsive thereto. Claims 7 and 14 have been canceled in the present paper, and claims 20-26 have been added. No new matter has been added. Reconsideration and allowance of the application are respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 1, 2, 5, 8, 9, 12, 15, 16, and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 5,870,683 to Wells et al. (“Wells”) in view of Bickmore et al., “Web Page Filtering and Re-Authoring for Mobile Users” (hereinafter “Bickmore”). Claims 3, 4, 10, and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wells and Bickmore in view of an alleged admission of prior art (Specification – p. 8, Table 2, row 5) (“AAPA”). Claims 6, 13, 17, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wells and Bickmore in view of “GIF Construction Set Professional Homepage” (“GCSPH”) and “GIF Construction Set Professional Manual” (“GCSPM”). Claims 7 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wells and Bickmore, in view of “Reference Manual for the TNT products” (<<http://www.prehistoria.ceh.csic.es/intranet/refman/html/dsp1c003.htm>>) (“TNT”). These rejections are traversed.

The amended features recited in claim 1 are similar to features previously recited in (now-canceled) claim 7. As generally noted by the Office Action at pages 11-13, Wells and Bickmore fail to teach or suggest displaying at least one image as a bit-map pattern, receiving user instructions to change individual pixels of the bit-map pattern, and storing the at least one image with the user-instructed changes to the individual pixels of the bit-map pattern. In the context of rejecting claim 7, the Office Action relies on TNT to allegedly disclose such features, stating that it would have been obvious to one skilled in the art, at the time of the instant invention, to incorporate TNT into the system of Wells and Bickmore “because through such incorporation it would improve the efficiency of said system through the reuse of image information rather than requiring said system to continually generate and/or retrieve new information for every image in a sequence of images for a given animation.”

Applicants respectfully submit that a proposed combination of TNT with Wells and Bickmore would be improper with respect to the above-noted features recited in claim 1. More specifically, Applicants submit that combining TNT with Wells and Bickmore ignores the realities inherent in the teaching of TNT. Notably, the features of claim 1 relate to displaying and changing a bit-map pattern responsive to user instruction(s) received at a *wireless handheld communication device*. TNT appears to describe software intended for use with a PC or other computer workstation. For example, the web page cited by the office action contains a link to a table of contents page at <<http://www.prehistoria.ceh.csic.es/intranet/refman/html/toc.htm>>. That page contains a link to a page titled “Introducing TNT” at <<http://www.prehistoria.ceh.csic.es/intranet/refman/html/basys001.htm#03%20%20INTRODUCING%20TNT>>, which page states that “TNT products are now available in 32-bit implementations for Macintoshes, PCs using Microsoft Windows 95, NT, or 3.1x, and all popular UNIX workstations, including the ones from IBM, Sun, DEC, Silicon Graphics, Hewlett Packard, and Data General. A 64-bit implementation for the DEC Alpha using DEC UNIX is also available.”¹

Indeed, the web page cited by the office action describes a bitmap pattern editor window used to create new patterns or edit existing ones. See TNT at § 11.2.4.2.4, para. 1. The TNT bitmap pattern editor window includes numerous menu items and options that must be selected for purposes of editing a bitmap pattern. More specifically, the bitmap editor window is divided into four sections and includes a menu bar with six options. See TNT at § 11.2.4.2.4, para. 2. The use of such an intensive menu driven interface would be impractical for use on a wireless handheld communication device of limited display size/area. As such, one skilled in the art would not have had an apparent reason to incorporate TNT with Wells and Bickmore to arrive at the features recited in claim 1. Accordingly, claim 1 is allowable for at least these reasons.

Amended independent claims 8 and 19 recite features similar to those described above with respect to claim 1 and are thus also allowable. The remaining claims depend from one of claims 1, 8 or 19 and are thus allowable for at least reasons substantially similar to those discussed above with respect to claim 1, and because the additional references (AAPA, GCSPH,

¹ With this Amendment, Applicants are submitting an Information Disclosure Statement and copies of these additional portions of the on-line TNT documentation.

and GCSPM) cited in rejections of various dependent claims fail to cure the deficiencies in the rejection of claim 1.

New Claim(s)

Claims 20-26 each depend from at least one of claims 1, 8, and 19, and are allowable for at least the same reasons as their respective base claims.

CONCLUSION

Based on the foregoing, Applicants respectfully submit that this application is in condition for allowance and request notice of same.

Respectfully submitted,

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